



# Town Of Amenia

4988 Route 22, PO BOX 126, AMENIA, NY 12501

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## **PLANNING BOARD MEETING THURSDAY, FEBRUARY 2, 2012**

PRESENT: Peter Clair  
Norm Fontaine  
Larry Moore  
Nina Peel, Chair  
Tony Robustelli  
Nathan Roy  
Ian MacDonald, Attorney

ABSENT: Jim Walsh

MOTION TO OPEN THE PLANNING BOARD MEETING was made by Peter Clair, seconded by Nina Peek.

ALL IN FAVOR - MOTION CARRIED.

### **Patel**

### **Site Plan**

**5329 Route 44  
Amenia, NY**

Nina Peek discussed with the applicant the site plan approval requirement in the Historic Preservation Overlay District. Also discussed with the applicant was that the application was not completely filled out and that a rendering or drawing that illustrates the proposed sign is required. Mr. Patel described the proposed sign as wooden with lighting to illuminate the sign. In addition, a second sign would be installed for a business occupying the other storefront. The requirements for signage were generally discussed and Nina Peek offered to have Lana Anguin-Cohen email the relevant section of the zoning ordinance. Nina Peek asked the Town Attorney whether an actual site plan was required. Ian MacDonald responded that the photographs submitted with the application were likely sufficient. Norm Fontaine agreed that photographs would be sufficient. Nina Peek asked for a sketch illustrating the signage and confirming that the signage meets the requirements of the zoning ordinance. The applicant stated that the proposed signs would be the same size as the existing signs. Tony Robustelli countered that the applicant also needs to illustrate that the replacement signs meet the requirements of the zoning ordinance because it is unknown if the existing signs are in conformance. Larry Moore stated that the zoning ordinance offers bonuses for wood signs and specific lighting, so the applicant should review the zoning ordinance against what the proposed signage. The applicant agreed to submit a drawing of the proposed signage. Discussion ensued between the Planning Board and the applicant regarding other approvals that would be required to operate the business. Tony Robustelli asked the applicant for more information regarding the storefront for the separate business and if the storefront spaces would have interior access to each other. The applicant stated the uses would be separate with no internal connecting doors between the shops. The applicant brought samples of the vinyl siding and asked if there were any concerns with the proposed color. The Planning Board did not have any issues with the proposed color. Further discussion ensued regarding the use of the two store fronts. The applicant clarified that one person was renting both spaces but there would be separate uses.

Peter Clair asked if the Planning Board can waive the public hearing for the site plan approval. Ian MacDonald responded that a public hearing is required to meet the State Environmental Quality Review Act (SEQRA) but not for site plan approval. The application will need to be referred to the Dutchess County Department of Planning and Development and a review period of up to 30 days ensues from the date of the referral. Although Mr. MacDonald had previously recommended setting a public hearing date for February 23, after speaking with Lana Anguin-Cohen regarding the requirements of public notice and the Town's use of a weekly newspaper, Mr. MacDonald did not believe there would be enough time to notice a public hearing earlier than March 1. Nina Peek stated the Board would set a public hearing date after the applicant has submitted a complete application to the Town and that she will have Lana Anguin-Cohen email the applicant the signage requirements.

Discussion ensued on when the Planning Board could waive the site plan public hearing requirement. The Planning Board agreed with the Town Attorney that the best course of action would be to advertise the site plan and SEQRA public hearings together in one combined public hearing.

**Jordan**

**Special Use Permit**

**4905 Route 44  
Amenia, NY**

Nina Peek stated that Lana Anguin-Cohen will send an agricultural data sheet and legal notice to the three adjoining agricultural properties, notice other properties within 500 feet of the subject parcel, and send a referral and information package to the Dutchess County Department of Planning and Development. The action that needs to be taken is tonight is to reschedule the public hearing date from the previous motion of February 23, 2012 to March 1, 2012 due to noticing and circulation requirements.

MOTION TO CHANGE THE PUBLIC HEARING DATE ON THE SPECIAL USE PERMIT FROM FEBRUARY 23, 2012 TO MARCH 1, 2012 by Peter Clair, seconded by Tony Robustelli.  
ALL IN FAVOR – MOTION CARRIED.

Ian MacDonald advised the Planning Board that he had spoken to Tom Whalen and advised him that the public hearing date would likely be changed to March 1, 2012 and that Mr. Whalen did not object.

**NYSEG  
Wassaic Substation**

**Building Upgrade**

**Taconic DDSO  
Property Route 22 Rear  
Amenia, NY**

Nina Peek asked the Planning Board if they had received the site plan package. The proposed building is a pre-fabricated building that is 12 feet by 18 feet on a concrete slab that will act as a control shed that will house new equipment. The proposed building is an addition to the existing facility and the existing fenced area will be expanded to encompass the building. Discussion ensued on the actual location of the proposed improvement and whether there was any approval required from the Planning Board. Ian MacDonald was unsure if this was a matter the Planning Board should act on. He agreed to look into the matter and follow up with Nancy Brusie and the Planning Board, if necessary.

**Nextel/Tower Co**

**Cell Tower Landscape Plan**

**Route 44  
Amenia, NY**

Nina Peek stated she visited the site with Kevin Cassone, and Keith Mandoske – the Applicant's landscape architect, to come up with ideas on potential screening options for the Cell Tower facility. She stated that the three has discussed a list of potential plantings with Keith Mandoske, fencing options, and some of the ideas they have for the site. The Applicant suggested the Northern Bayberry Shrub and Ms. Peek circulated the specs for that plant type to the Planning Board for their review. . Eventually, the Applicant will submit a landscaping plan to the Planning Board for its review. The applicant would be looking to include plant materials that are least likely to be consumed by wildlife and that stay green throughout the year. Ms. Peek noted that the materials being circulated to the Planning Board are rough ideas and she

would anticipate a landscaping plan that is much more developed for formal review. A photo simulation was also requested for the site. Nathan Roy suggested that fir trees are a native species that can grow tall and fill in well to provide screening. Discussion ensued on the conditional approval that had been given by the Town and what was required by the applicant and timeline to fulfill the conditions. Nina Peek stated she would get in touch with the applicant and let them know what the Planning Board had discussed.

## **Other Matters**

*Deda*

*Affordable Housing Site Plan*

*770 Old Route 22  
Amenia, NY*

The Planning Board discussed the Deda project and purpose of their attendance at the last meeting. Discussion ensued regarding where the project had left off and whether a June memorandum prepared by the Town Engineer had reached the applicant. The next step is for the Town Engineer to confirm that the applicant has resolved the concerns he outlined in June 2011. Ian MacDonald stated he needed to discuss any remaining issues with the Town Engineer. Norm Fontaine questioned whether the Board of Health had approved the septic system for the property. Nina Peek stated that the Applicant received a letter from June 23, 2011, that stated the Board of Health had approved the septic system for up to nine (9) bedrooms, but that the Planning Board was not entertaining the approval of that many bedrooms. Ms. Peek also stated she would have Lana Anguin-Cohen forward all relevant correspondence to the Planning Board and Town Attorney.

*Silo Ridge/Amenia Landfill*

*Tree Removal*

*Route 22  
Amenia, NY*

Ian MacDonald asked the Planning Board if they would like to discuss this issue. Nina Peek explained as part of the proposed Old Amenia Landfill cleanup, a row of trees would be removed that were considered screening for the proposed Silo Ridge project. Part of the proposed development would now be visible as a result of removing the trees for the landfill cleanup. Ian MacDonald stated that to access the site the trees need to be removed. Ms. Peek explained that her understanding was that the alternative to tree removal would be cost prohibitive to the Town. Nina Peek stated that Silo Ridge is considering a scaled down Phase 1 development proposal, which may require additional impact review and could include revised visual analyses. However, given the tight timeline attached to the landfill project she is not sure the removal of trees will be taken into account. Bill Flood explained the reasoning for the Town to remove the trees as part of the landfill cleanup and that the alternative would result in the construction of a more costly road. Discussion ensued on the long term impacts to visibility from the removal of the trees. Bill Flood provided plans that illustrated the area where the trees would be removed. Discussion ensued on the issues involved with constructing the access roadway and visibility concerns. Nina Peek asked whether it would be possible to walk the site and receive more information on the potential roadway and alternative. Bill Flood responded that he would check in with Liz Rovers from C.T. Male regarding that possibility.

MOTION TO CLOSE MEETING by Tony Robustelli, seconded by Norm Fontaine.

ALL IN FAVOR – MOTION CARRIED.

Respectfully submitted,  
Sunny McCool  
Planning Board Secretary  
Approved 04-26-2012